

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL NO. 1:05CR4
(Judge Keeley)

DANIEL WILSON TESTERMAN,

Defendant.

ORDER GRANTING MOTION TO UNSEAL TRANSCRIPT

On February 9, 2007, the defendant, Daniel Wilson Testerman ("Testerman"), filed a motion to unseal transcript, requesting that the Court unseal the transcript of the hearing on the defendant's motion to suppress held before the Honorable John S. Kaull on April 13, 2005. As grounds for his motion, he states that the transcript should be unsealed to allow its reproduction and use in his appeal currently pending before the United States Court of Appeals for the Fourth Circuit.

Good cause having been shown, the Court **GRANTS** Testerman's motion to unseal transcript (dkt no. 100) and **DIRECTS** the Clerk to unseal the transcript of the April 13, 2005 hearing to the extent necessary to allow its reproduction and use in Testerman's appeal presently before the Fourth Circuit Court of Appeals.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this order to counsel of record, the defendant, and all appropriate agencies.

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1:05cr4

ORDER GRANTING MOTION TO UNSEAL TRANSCRIPT

DATED: February 12, 2007.

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE